

bs-GmBm/GbtdmgtU/829/2010/267

Zwilt 28 Gwcj, 2011 Bs

AvldvZ mKEiUR jgUW
59/3/3 cibv cëb (4_Zjv)
XvKv-1000|

elq: Av`k|

Kgkbi 28 Gwcj 2011 Bs ZwiLi Av`k bs GmBm/GbtdmgtU/829/2010/266 Gi mZ`wqZ Abjic Avcbvi
AeMzi I ctqRbxq eëv Mnbi Rb GZ`msM msh³ Kiv ntjv|

mKDUR I G·PÄ Kgkbi ct|

gxi tgvkviid tnvtmb tPšaix
cipvjK

ezibt

cöb weoxKgKZ©XkvóK G·PÄ yvgUW

AeMzi Rb Abjic:

- 1| bevnx cipvjK, mviFBj`vY, GmBm
- 2| bevnx cipvjK, AvBb, GmBm
- 2| bevnx cipvjK, GgAvBGm, GmBm
- 4| cipvjK, GmAvAvB / AvigU`W, GmBm
- 5| tPqvig`vb gtnv`qi`ßi, GmBm

Av#`k

#h#nZ, Kigkb, AvivdvZ m#KDiiUR j#gUW (WGMb m`m` bs-94) tK Zvi Av#e`bμtg, wbaWiZ kZvax#b m#KDiiUR μq weμq KgKvÊ c#iPvjbv Kivi Rb" m#KDiiUR I G·#PÄ Kigkb (AZ:ci 0Kigkb0 e#j D#j#LZ) m#KDiiUR I G·#PÄ Kigkb AvBb, 1993 (1993 m#bi 15 bs AvBb) Gi 10(1) G c`Ë ¶lgZve#j m#KDiiUR I G·#PÄ Kigkb (÷K-Wjvi, ÷K-#evKvi I Ab#gW`Z ciZibia) weagvjv, 2000 Gi weia 5(5) mn c#VZ ÷K#evKvi tiR#ók#b m#U#d#KU c`vb K#i#Q;

#h#nZ, Kigkb Zvi Av#`k bs SEC/ SRI/ INS/DSE-MEM/275 dated September 23, 2010 Gi gva`tg AvivdvZ m#KDiiUR j#gUW (WGMb m`m` bs-94) G GK#U c#i`kb c#iPvjbv K#i Ges D<sup>3</sup> c#i`kb c#Z#e`#b wba#i#c findings and contraventions Gi D#jL Av#Q:

- a) "The inspecting officers examined all documents related to the Customers Consolidated Bank Account of Arafat Securities Limited i.e., Customers Consolidated Bank Statement, details of receivables from DSE and payables to DSE, statement of receivable & payable to clients, details of cheques received from clients and paid to clients but not cleared, statement of bank account of Sylhet Branch, money receipt & payment vouchers etc. The details of the findings are delineated below:

SL NO.	PARTICULARS (AS ON AUGUST 31, 2010)	AMOUNT
	PAYABLE TO CLIENTS	2,58,20,963.16
	(-) RECEIVABLE FROM CLIENTS	(1,07,69,604.83)
	(-) UNCOLLECTED CHEQUES (BY ARAFAT SECURITIES LIMITED).	(5,35,000.00)
	(+) UNPRESENTED CHEQUES BY CLIENTS	23,89,000.00
	(-) RECEIVABLES FROM DSE	(66,67,646.75)
	(+) PAYABLE TO DSE	77,837.60
	EXPECTED BANK BALANCE	1,03,15,549.18
	ACTUAL BANK BALANCE (Dhaka + Sylhet)	35,01,115.28
	BALANCE DEFICIT	(68,14,433.90)

Contravention: Through the aforesaid activities Arafat Securities Limited (DSE Member # 94) violated the Rules (8A) of the Securities and Exchange Rules, 1987 and সিকিউরিটিজ ও এক্সচেঞ্জ কমিশন (স্টক-ডিলার, স্টক ব্রোকার ও অনুমোদিত প্রতিনিধি) বিধিমালা, ২০০০ এর বিধি ১১।

- b) The inspecting officers found that the Average Net Capital Balance of Arafat Securities Limited for the month of May-June, 2010 is BDT 12,28,405. Arafat Securities Limited provided excess credit facilities [without any agreement] to Md. Anwarul Azim (Client code # 72), Anupama Chakraborty (Client code # 10139), Rokeya Akter (16771), Md. Humayun Kabir Chowdhury (16748), Omar Ahmad (Client code # 17336), Md. Masuk Alam (17592) & Syed Ashraf Ali (Client 35239) clients of Arafat Securities Limited, to purchase shares.

Contravention: Through the aforesaid activities Arafat Securities Limited (DSE Member # 94) violated the Rule 5(1) of Margin Rules, 1999.

- c) The inspecting officer found that Arafat Securities Limited is providing credit facilities to their clients without any Margin Loan Agreement.

Contravention: Through the aforesaid activities Arafat Securities Limited (DSE Member # 94) violated the Margin Rules, 1999.

- d) Arafat Securities Limited provided credit facilities to Mr. Md. Masum (Client code # 2752), Younus Ali (17163), Shirin Amin (Client code # 26017) and M/S Masud Enterprise (Client code # 16119), clients of Arafat Securities Limited, to purchase newly listed securities i.e., Rak Ceramics Ltd, CMC Kamal Textile Mills Limited & United Airways Ltd on July 25, 2010 & July 26, 2010; June 21, 2010 & July 05, 2010; June 17, 2010, June 27, 2010, July 6, 2010, July 12, 2010; and July 15, 2010 respectively.

Contravention: Through the aforesaid activities Arafat Securities Limited (DSE Member # 94) violated the Commission's Order No. SEC/CMRRCD/2001-50/167 dated October 01, 2009.

- e) Arafat Securities Limited provided credit facilities to Mr. Mohammad Saif Ullah (client code # 17972) and Mr. Md. Anower Sadat (Client code # 4297), clients of Arafat Securities Limited, to purchase 'Z' category shares i.e., UCBL on June 22, 2010 and June 21, 2010 respectively.

Contravention: Through the aforesaid activities Arafat Securities Limited (DSE Member # 94) violated the Commission's Directive No. SEC/CMRRCD/2001-43/169 dated October 01, 2009.

- f) The inspecting officers found that some of the clients of Arafat Securities Limited sold their shares before maturity, which is the violation of Regulation 4(1) of Dhaka Stock Exchange (Short sale) Regulation of 2006. The details are delineated below:

ARAFAT SECURITIES LIMITED**DSE MEMBER # 94****BDWELDING**

SL NO	NAME OF CLIENT	CLIENT CODE	BUY DATE	QUANTITY	MATURITY DATE	SALE DATE	REMARKS
1	Md. Masum	2752	28.03.10	5000	31.03.10	30.03.10	Sold 5000 shares at T+2
			01.04.10	2000	06.05.10	05.04.10	Sold 5000 shares at T+2
			05.04.10	3000	08.04.10	05.04.10	Sold 1000 shares at T+0
							Sold 2000 shares at T+1
			08.04.10	2000	13.04.10	12.04.10	Sold 2000 shares at T+2
			12.04.10	2000	15.04.10	12.04.10	Sold 2000 shares at T+0
			18.04.10	2000	21.04.10	18.04.10	Sold 2000 shares at T+0

BDWELDING

SL NO	NAME OF CLIENT	CLIENT CODE	BUY DATE	QUANTITY	MATURITY DATE	SALE DATE	REMARKS
1	M/S. Masud Enterprise	1214	18.03.10	5500	23.03.10	22.03.10	Sold 5500 shares at T+2
			25.03.10	3000	30.03.10	29.03.10	Sold 3000 shares at T+2
			28.03.10	2000	31.03.10	29.03.10	Sold 2000 shares at T+1
			29.03.10	13000	01.04.10	29.03.10	Sold 2500 shares at T+0
						30.03.10	Sold 1500 shares at T+0
						31.03.10	Sold 5000 shares at T+2
			01.04.10	4500	06.04.10	05.04.10	Sold 4500 shares at T+2
			04.04.10	37000	07.04.10	05.04.10	Sold 500 shares at T+1
						06.04.10	Sold 10500 shares at T+2

Contravention: Through the aforesaid activities Arafat Securities Limited (DSE Member # 94) violated the Regulation 4(1) of Dhaka Stock Exchange (Short sale) Regulation, 2006.”

#h#nZ, Kigkb Dc#iwjLZ c#Z#e`b Abhvq m#KD#i#UR AvBb c#icvj#b e`_Zvi `i`b Av#vdvZ m#KD#i#UR #j#g#UW Gi eiveti GK#U show-cause-cum-hearing notice m# bs- SEC/Enforcement/829/2010/08 ZwiL 05 R#bq#ix 2011 Bs tciY K#i Ges cieZ#Z 17 R#bq#ix 2011 Bs Ges 24#de#q#ix 2011 Bs ZwiL cb:Zdmj K#i 15 g#P 2011 Bs ZwiL kb#bxi `b avh` K#i Ges avh`KZ ZwiL D# te#Kvi/#Wjvi Gi carb #bevn# KgKZv Dc#Z n#q Z#`i 15 g#P 2011 Bs ZwiL c#i`i gva`g #jLZ e#e` `wLj K#i | D# c#i` Ab#v#b`i g#a`, #b#bi #elq, #jv D#jL Av#Q:-

Ó m#ebq #b#e`b Awg tgv# Ave`jvn, carb #bevn# KgKZv, Av#vdvZ m#KD#i#UR #j#g#UW, m`m` bs-094, XvKv ÷K G· #PÄ #j#g#UW| #eMZ 05/08/2010Bs ZwiL Kigk#bi Av#`ket#j GmBim Gi `BRb Z`šKvix KgKZv A# Av#vdvZ m#KD#i#UR #jt c#i`kb K#ib Ges Z`š Kvh#ug c#iP#j#v K#ib| #b#U#k D#j#LZ N#U#Z 68,14,433.90 UvKv cieZ#Z 06/09/2010Bs ZwiL 1494495 bs #P#Ki gva`g 1 #K#U UvKv e`vsK #nm#e Rgv Kiv nq| eZgv#b #K#v N#U#Z #bB| #b#U#k D#j#LZ Ab#v#b` AvBb f#i`i Rb` Avgiv Avš#iKfv#e `t#LZ I #lgv c#\_x| AZ#Zi mg` f#j#i Rb` Avg#`i c#Z#v#K evie#i R#ig#v Kiv nBq#Q| hvi Rb` Awg g#b#mK Ges Aw\_K fv#e g#ivZ#K #j#ZM` nBq#Q| eZgv#b Avg#`i c#Z#v#b m#KD#i#UR GÜ G· #PÄ Kigk#bi AvBb h\_vh\_fv#e c#Zcv#b K#iqv c#iP#j#Z nB#Z#Q| 2009 Bs m#bi #klv#a Ges 2010Bs m#bi c\_gv#a#i mg` f#j#i Rb` Awg Kigk#bi #bKU Ave#iv #lgv c#_bv K#i#Z#Q|

AZGe g#n#`q mg#tc AvKj Av#e`b #b#U#k D#j#LZ #e#f#b #el#qi Rb` Avg#`i c#Z#v#b g#bieK Kvi#b #lgv K#iqv #waZ K#i#eb|0

#h#nZ, Av#vdvZ m#KE#i#UR #j#g#U#Wi Dc#iv# e#e` #\_#K c#Zqg#b nq #h, Dc`w#Z Av#f#hMmgn m#VK Ges D#j#LZ jsNbmg# BPP#KZ #m#nZ G#j#i` Av#vdvZ m#KE#i#UR #j#g#U#Wi #lgv c#\_bv Kigk#bi #bKU #K#b#ug Mnb#h#M` b#n;

#h#nZ, Av#vdvZ m#KE#i#UR #j#g#UW Dc#iv# KgKv#i d#j Rules (8A) of the Securities and Exchange Rules, 1987 and সিকিউরিটিজ ও এক্সচেঞ্জ কমিশন (স্টক-ডিলার, স্টক ব্রোকার ও অনুমোদিত প্রতিনিধি) বিধিমালা, ২০০০ এর বিধি ১১, Rule 3(2) & 5(1) of Margin Rules, 1999, Commission's Order No. SEC/CMRRCD/2001-50/167 dated October 01, 2009, Commission's Directive No. SEC/CMRRCD/2001-43/169 dated October 01, 2009 and Regulation 4(1) of Dhaka Stock Exchange (Short sale) Regulation, 2006 f#M K#i#Q, hv m#KD#i#UR AvB#bi c#ic#š#;

#h#nZ, Av#vdvZ m#KE#i#UR #j#g#UW Gi Dc#iv# KgKv# Securities and Exchange Ordinance, 1969 Gi section 22 Abhvq# kv`#h#M` Aciva;

#h#nZ, Kigk#bi #e#eP#vq, m#KD#i#UR AvBb c#icvj#b D#j#LZ e`\_Zvi Rb`, Z_v c#RevRv#i#i Dbq#bi c#kvc#k evRv#i#i ksLjv I `QZv i #jvi `#_D# te#Kvi/#Wjvi #K R#ig#v Kiv c#qvRb I mg#P#b;

AZGe, #m#nZ, Kigkb, D#j#LZ h#eZ#q #elq #e#eP#vceK, Securities and Exchange Ordinance, 1969 (Ordinance No. XVII of 1969) Gi section 22 [hv The Securities and Exchange (Amendment) Act, 2000 Øviv m#tkwaZ] G c`È #lgZ#et#j Av#vdvZ m#KE#i#UR #j#g#UW (#WGb m`m` bs-94) Gi Dci 5 (c#P) j #lg UvKv R#ig#v avh` Kij hv A# Av#`#ki ZwiL n#Z 15 (c#bi) `#`bi g#a` m#KD#i#UR I G· #PÄ Kigkb# Gi AbK#j Bm`KZ e`vsK W#dU#tc-AW#i#i gva`g Kigk#b Rgv Ki#Z n#e;

m#KD#i#UR I G· #PÄ Kigk#bi Av#`k#ug,

#gv: #RqvDj nK #L#`Kvi
#Pqvig#v

#eZibt

Av#vdvZ m#KE#i#UR #j#g#UW, 59/3/3 c#iv#v c#eb (4_ Zjv), XvKv-1000|